

Before The

FEDERAL ELECTION COMMISSION

2014 MAR 12 PM 4:23

OFFICE OF GENERAL COUNSEL

IN THE MATTER OF:

CITIZENS FOR RESPONSIBILITY AND
ETHICS IN WASHINGTON ("CREW")

AND

MELANIE SLOAN

MUR No.

6795

COMPLAINT FOR VIOLATION OF CAMPAIGN FINANCE LAWS

1. This Complaint is filed to improve the political process, political environment, and democracy in elections, and protect elections in America from corruption.
2. While the current Administration piles up more and more illegal activity and criminal violations of law committed against conservatives, such as Christine O'Donnell and Catherine Englebrecht, and various organizations, the dramatically inconsistent treatment by the Federal government of liberal political organizations provides definitive proof that the Obama Administration and officials and personnel of the U.S. Government have "weaponized" government to illegally influence the electoral process and steal democracy from its citizens, similar to some of the Articles of Impeachment drawn up against Richard Nixon.
3. In actual practice by the U.S. Federal Government, liberal political organizations – including tax-deductible IRS 501(c)(3) organizations – are allowed *de facto* to violate the Federal Election Campaign Act ("F.E.C.A.") and the Internal Revenue Code while conservative political organizations are persecuted even though they comply with FECA and the IRC.

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4. The activities of Citizens for Responsibility and Ethics in Washington (C.R.E.W.) as a tax-deductible 501(c)(3) organization demonstrate that the U.S. Federal Government is guilty of hypocrisy and double standards in abusing the Federal Government's powers against political conservatives and those promoting a conservative philosophy of government and politics while encouraging, enabling, and tolerating violations of Federal law by political liberals.

COMPLAINANT

5. JONATHON MOSELEY brings this Complaint respectfully demanding enforcement of the Federal Election Campaign Act ("F.E.C.A.") against Citizens for Responsibility and Ethics in Washington (aka "C.R.E.W.") and its Executive Director Melanie Sloan, an attorney licensed in the District of Columbia and apparently in Illinois.

6. Jonathon Moseley is both an attorney licensed in the Commonwealth of Virginia and a political activist since 1984. In both roles, Moseley became knowledgeable of and familiar with the violations of the Federal Election Campaign Act ("F.E.C.A.") by C.R.E.W. while investigating allegations brought against Christine O'Donnell.

7. Moseley's investigation led to those allegations being dismissed as being without merit by the U.S. Attorney for the District of Delaware, Charles Oberly, by demonstrating the lack of any reliable facts offered by C.R.E.W. and the strained logic C.R.E.W. offered in the hopes of inducing readers to leap to unsupported conclusions in conflict with reliable facts.

8. However, during the course of that work, Moseley was confronted by C.R.E.W.'s rampant violation of the Federal Election Campaign Act and the Internal Revenue Code, while accusing conservatives of violations. C.R.E.W.'s brazenness indicated liberal expectations of being able to violate Federal law with impunity yet never be held accountable.

RESPONDENTS

9. Citizens for Responsibility and Ethics in Washington (aka "C.R.E.W.") is a corporation holding the privilege of tax-exempt status under the Internal Revenue Code, under IRC Section 501(c)(3), as declared on its website. See Exhibit A, attached.

10. C.R.E.W.'s Executive Director Melanie Sloan is an attorney with a professional responsibility to be familiar with the relevant laws at issue, and has often presented herself as an expert in the laws and regulations governing Federal election campaigns and campaign finance laws and reporting of campaign finance details and also of IRS 501(c)(3) and IRS 501(c)(4) organizations. C.R.E.W. and Sloan have made representations of their special expertise in these areas in numerous official complaints to the Federal Election Commission and the Internal Revenue Service while analyzing and discussing those laws and regulations in detail.

11. C.R.E.W. announces that CREW's offices are at 1400 Eye Street, NW, Suite 450, Washington, DC 20005. Complainant visited those offices in 2011 with a journalist seeking an interview and found that C.R.E.W.'s sign is on the wall but no one was present at the time.

12. On information and belief CREW is incorporated in the District of Columbia.

13. C.R.E.W. claims as its public mission for C.R.E.W. to be

"committed to protecting the right of citizens to be informed about the activities of government officials and to ensuring the integrity of government officials. CREW seeks to empower citizens to have an influential voice in government decisions and in the governmental decision-making process through a combination of research, litigation, and advocacy."

14. The Complainant notes that this avowed mission of informing the public about campaigns and campaign finances is actually the purpose of the Federal Election Commission and the Federal Election Campaign Act. Therefore, CREW seeks to redefine and distort the

functioning of Federal elections by taking the mission of the FEC and altering it to suit CREW's agenda, methods, and preferences, in ways different from those established by the FEC itself.

FACTUAL ALLEGATIONS:

15. This Complaint relates to the 2009-2010 election cycle for elections to the United States Senate and to events occurring primarily in September and October 2010, with admissions about those main events by Melanie Sloan on national television also being made in late December 2010 and some evidence supporting those main events arising by examining C.R.E.W.'s activities throughout 2010. Yet Complainant believes other violations occurred.

16. CREW's media message "not in the U.S. Senate" about Christine O'Donnell relating to the 2010 U.S. Senate campaign plainly advocated for the defeat of a Federal candidate.

17. Starting in September 2010, Melanie Sloan and C.R.E.W. launched a public relations campaign of news media appearances attacking Christine O'Donnell as a candidate for election.

18. Furthermore, at the time, Christine O'Donnell was not and is not a government official, but was only a candidate for public office in the 2010 elections.

19. Thus, by C.R.E.W.'s own mission statement, Christine O'Donnell did not fall within the scope of C.R.E.W.'s mission or purpose concerning "government officials."

20. The Federal Election Campaign Act (FECA) and implementing regulations promulgated by the Federal Election Commission (FEC) require that campaign committees and "independent expenditures" advocating for the election or defeat of candidates for elected public office register with the FEC, including by naming a Treasurer, and file campaign finance reports.

21. It is immaterial whether an organization advocates for the defeat of a candidate based upon partisan affiliation (Republican or Democrat) or for any other reason. **Regardless of the motivation, whether partisan (party) based or for some other reason, to the extent that**

C.R.E.W. advocates during an election campaign for the defeat of a candidate for Federal public office, the organization must comply with FECA and FEC regulations.

22. C.R.E.W. failed to register with the FEC its independent expenditure activities advocating for the defeat of Federal candidates for public office, despite professing expertise in FECA and FEC regulations and campaign finance reporting rules and procedures.

23. C.R.E.W. failed to file any campaign finance reports of its independent expenditure activities advocating for the defeat of Federal candidates for public office.

24. As an IRS 501(c)(3) tax-deductible organization, C.R.E.W. is prohibited from partisan political "electioneering" in advocating for the defeat of candidates for public office.

25. C.R.E.W. illegally engaged in an "independent expenditure" partisan political election campaign expressly advocating for the defeat of the Republican nominee for United States Senate from Delaware in 2010, Christine O'Donnell, without registering with the Federal Election Commission as an "independent expenditure," without reporting its expenditures, donations, and activities intervening in the U.S. Senate election on campaign finance reports required by FECA, as well as violating its 501(c)(3) status under the Internal Revenue Code.

26. C.R.E.W. launched its campaign of advocacy for the defeat of Christine O'Donnell on September 15, 2010 – the morning after O'Donnell won the September 14, 2010, Republican primary. See C.R.E.W.'s press release, September 15, 2010, attached as Exhibit B.

27. Thus, C.R.E.W. clearly acted and communicated only in direct response to O'Donnell's primary election as the Republican nominee – and not, as C.R.E.W. pretends, in response to the conduct of "government officials" which is C.R.E.W. states as its mission.

28. The timing and content of C.R.E.W.'s September 15, 2010, press release and subsequent activity demonstrates that C.R.E.W. was acting as an undisclosed "independent

expenditure" funded in part by George Soros.

29. On September 20, 2010, Citizens for Responsibility and Ethics in Washington by its Executive Director Melanie Sloan, filed a Complaint against Christine O'Donnell and Friends of Christine O'Donnell (the official campaign committee for the candidacy of Ms. O'Donnell) with the Federal Election Commission, the U.S. Attorney (prosecutor) for Delaware, and the U.S. Department of Justice, Public Integrity Section.

30. However, using the thin excuse of the complaint, Melanie Sloan then launched a public media blitz, which was overt political "electioneering" campaigning against the Republican nominee in the election. *SEE* television news appearances by Melanie Sloan, on the DVD enclosed as Exhibit C of and also posted at

<http://curesocialism.blogspot.com/2014/02/crew-complaint.html>

31. As Melanie Sloan announced in her own voice, speaking on camera, on September 22, 2010, on CNN's Anderson Cooper 360:

ANDERSON COOPER: "A lot of people are going to see this and say no matter what side of the aisle they are on and say, 'You're saying Christine O'Donnell is guilty of this. Wasn't she just as guilty a few weeks ago? And you didn't raise this up, you know, prior in the campaign. It's only now that it's in the final weeks of the campaign... um, you could have even waited until after the election, uh, you know, after the American people had decided. 'Cause these accusations can't be proven or disproven in this short amount of time by officials.

MELANIE SLOAN: "Well, I understand, you asked earlier if it was fair to bring this up. And of course it's fair. Character is a critical issue to American voters when they are considering candidates at the polls. And when there are issues that reflect upon a candidate's honesty and integrity, we have a right to raise those questions. And a candidate should answer them. And instead Christine O'Donnell is refusing to answer any questions¹ at all about these issues, whether it is reporters of your show who confront her or any other media. Instead she just says she's ethical, you can't question her. *I think voters want to know how Miss O'Donnell can explain living off her campaign funds*

¹ In the context of an on-going election campaign

for so many years and basically stealing supporters' money.

(Emphases added.)

32. Thus, Sloan confessed that C.R.E.W.'s goal was to influence an election.

33. CREW explicitly referred to the upcoming vote in Delaware and whom the voters might choose to be their U.S. Senator from Delaware, and expressing CREW's opinion that the voters of Delaware should not vote for Christine O'Donnell and offering C.R.E.W.'s opinion presented as "fact" that the voters of Delaware should not vote for O'Donnell because O'Donnell is a criminal who belongs in jail (in C.R.E.W.'s opinion).

34. Moreover, C.R.E.W.'s September 15, 2010, press release attacks O'Donnell (falsely) over issues unrelated to C.R.E.W.'s campaign finance Complaint. Thus, the press release itself demonstrates that C.R.E.W. was campaigning for the defeat of a Republican candidate in the 2010 election, because the topics raised in C.R.E.W.'s September 15, 2010, press release and in subsequent communications include attacks upon O'Donnell beyond and unrelated to either C.R.E.W.'s self-described mission or its Complaint relating to campaign finances.

35. C.R.E.W.'s September 15, 2010, press release clearly demonstrates that C.R.E.W. was acting and campaigning in reference to Christine O'Donnell's status as a candidate:

15 Sep 2010 // Washington, D.C. - 11 of the most rotten candidates in America have survived primary season, and will be moving on to the general election. Today, Citizens for Responsibility and Ethics in Washington (CREW) released an updated list of *Most Crooked Candidates* adding Delaware Republican Christine O'Donnell. The latest addition to the national wall of shame *has been called everything from "a fraud" by her former campaign manager, to a "perennial candidate who can't get elected dog catcher" by the state Republican Party chair.*

(Emphases added.) Whether or not O'Donnell could be elected dog catcher, whether the State Republican Party chair supports her or not, and whether someone called her a fraud – these are all issues entirely unrelated to either C.R.E.W.'s mission or the filing of C.R.E.W.'s complaints.

This content is plainly campaigning in the election and advocating for the defeat of a candidate.

36. In a September 17, 2010, press release, C.R.E.W. launched a petition drive asking citizens to take action against Christine O'Donnell. See Exhibit D attached:

37. In a September 20, 2010, press release C.R.E.W. explicitly relates their accusations to the 2010 US Senate election, see Exhibit E attached:

20 Sep 2010 // Washington, D.C. -Today, Citizens for Responsibility and Ethics in Washington (CREW) filed complaints with the Delaware U.S. Attorney's Office and the Federal Election Commission (FEC) against newly-minted Delaware senatorial candidate Christine O'Donnell (R) for using campaign funds for personal living expenses.

(Emphases added).

38. In its own words, C.R.E.W. admits that its campaign is specifically directed at Christine O'Donnell as the "newly minted" candidate – that is, the winner of the September 14, 2010, primary election, recently becoming the Republican nominee, and specifically directed at Christine O'Donnell as "*Delaware senatorial candidate.*" *Id.*

39. Although O'Donnell filed her Statement of Candidacy with the FEC on March 20, 2009, C.R.E.W. did not begin its campaign against O'Donnell until she won the Republican nomination on September 14, 2010.

40. The C.R.E.W. press release in Exhibit E goes on to announce:

"Christine O'Donnell is clearly a criminal, and like any crook she should be prosecuted," said Melanie Sloan, CREW Executive Director. "Ms. O'Donnell has spent years embezzling money from her campaign to cover her personal expenses. Republicans and Democrats don't agree on much these days, but both sides should agree on one point: thieves belong in jail not the United States Senate."

(emphasis added). C.R.E.W. declares that O'Donnell does not belong in the U.S. Senate.

41. Then C.R.E.W. also publicized its message inside Delaware, weeks before the November 2010 election, that Christine O'Donnell does not belong in the U.S. Senate, in the

Delaware News Journal, September 20, 2010. Exhibit F. *(This story appeared the same day that C.R.E.W. placed its complaint in the mail September 20, 2010, indicating prior coordination between Ginger Gibson of the News Journal and C.R.E.W., in a newspaper's reporting cycle.)*

42. C.R.E.W. spread this same appeal that Christine O'Donnell does not belong in the U.S. Senate nationwide. See Exhibit G.

43. Then, on September 29, 2010, C.R.E.W. targeted Delaware voters by publishing an editorial ("op-ed") column in the Delaware News Journal, titled "Christine O'Donnell Can't Outrun Her Past," as proudly admitted on C.R.E.W.'s website, attached as Exhibit H.

44. The op-ed was authored over the by-line "CREW staff" at least on C.R.E.W.'s own website, but apparently over Melanie Sloan's byline in the News Journal.

45. While intentionally targeting Delaware voters concerning the Delaware November 2, 2010, election, in C.R.E.W.'s op-ed, C.R.E.W. argued to Delaware voters:

"But more important, Christine O'Donnell is running to serve the people of Delaware as their elected representative in the United States Senate – a position that demands integrity and honesty. Sadly, Ms. O'Donnell has demonstrated neither."

46. C.R.E.W.'s September 29, 2010, opinion column (op-ed) in the Delaware News Journal was neither necessary to nor really relevant to C.R.E.W.'s official complaint before the Federal Election Commission, but was instead an attempt to influence the U.S. Senate election. By publishing an op-ed inside Delaware, in Delaware's main newspaper the News Journal, C.R.E.W. clearly targeted voters inside Delaware right before the November 2, 2010, election.

47. In addition, C.R.E.W. also published during 2010 its "Most Crooked Candidates" list. As reported in US News & Report, on September 21, 2010, "Of the 14 politicians listed, nine are running as Republicans, three as Democrats and two are independents."

48. After the general election, C.R.E.W. updated its list on its website with the

designations "DEFEATED" stamped over Christine O'Donnell's photograph and other candidates' photographs – clearly portraying C.R.E.W.'s activities as advocating for the defeat of candidates for federal office including Christine O'Donnell. See Exhibit I.

49. On the morning of September 21, 2010, CREW engaged in a mass distribution of the email message attached as Exhibit J, which included an appeal for donations -- which on information and belief required drafting and preparation prior to September 20, 2010.

50. Although the email in Exhibit J tangentially asks for donations, it is also express advocacy for the defeat of Christine O'Donnell as a Federal candidate. The email explicitly focuses on Ms. O'Donnell's status as a candidate, and identifies the office she sought and the State where she was then on the ballot.

51. Moreover, the email in Exhibit J clearly asks for donations specifically to defeat Christine O'Donnell by name.

52. CREW both requested and received donations earmarked to defeat a particular, named candidate for Federal office, yet did not report to the FEC these earmarked donations.

53. The email – like CREW's other public communications – includes content that is unrelated to CREW's FEC Complaint, such as a false claim that Ms. O'Donnell has not had a job in years. This was radically untrue.

54. But those comments, like others, served no valid purpose other than to paint Christine O'Donnell in a negative light in O'Donnell's role as a candidate for election in the 2010 US Senate race and to encourage Delaware voters to vote against her. Thus the content makes clear that C.R.E.W. was not advancing its mission concerning government officials, but running an independent election campaign against a candidate.

55. As reported by C.R.E.W. in its annual report, C.R.E.W. received and delivered over

3,000 petitions in response to its petition drive. See Annual Report, attached at Exhibit K.

56. By contrast, however, C.R.E.W. did not apply equal treatment to other candidates or public officials, including in Melanic Sloan's own home State of Delaware.

57. For example, from his U.S. Senate campaign funds, *in 2009*, when no longer a candidate, Joe Biden spent \$114,591.83. Biden's spending *in 2009* – from his *2008* Senate campaign – was almost as much as O'Donnell's entire 2008 campaign budget for Senate.

58. According to FEC campaign finance reports, in 2009, Joe Biden used 2008 U.S. Senate campaign funds (not his separate Vice Presidential campaign funds) as follows:

- a. \$4,129.25 in unspecified charges on a Platinum Plus business credit card in 2009, apparently creating a "slush fund" for Joe Biden's expenses that are not identified.
- b. \$13,117.89 on meals and catering between January 7, 2009, and April 14, 2009.
- c. On February 25, 2009, \$364 at Glazier Photography and \$966 for printing.
- d. \$219 for flowers on January 27, 2009.
- e. In April 2009, Biden's US Senate campaign paid \$1,971.35 for internet services.
- f. Biden paid \$2,134.39 for utilities to Delmarva Power from January 22, 2009 to April 1, 2009. He paid \$2,265.62 for cell phone usage from January 2009 through June 2009 and another \$882.01 for phones in April and June 2009.
- g. In February and March, 2009, \$1,001 for office computers.
- h. \$454.53 for web hosting in February through April 2009.
- i. \$720.49 for unidentified travel January 22, 2009, and \$1,080.70 on AMTRAK in January and February 2009.
- j. These were probably not late invoices, because there were many payments to most of these vendors in earlier months, as well.

59. Yet, C.R.E.W. did not call for any investigation into Joe Biden's U.S. Senate campaign. Although Biden was an actual public official, C.R.E.W. asked no questions.

60. Similarly, from January 2009 through June 2009, Mike Castle's FEC campaign finance reports show that Delaware's Mike Castle used campaign funds for:

- a. \$13,499.35 in unspecified charges on a Platinum Plus business credit card in 2009, apparently creating a "slush fund" for Mike Castle's expenses that are not identified.
- b. \$546.25 to AMTRAK for travel from March 2009 to May 2009.
- c. \$587.64 for food & beverage at Café Gelatto, paid on February 6, 2009.
- d. \$2,588.88 for food & beverage at the Capitol Hill Club restaurant in Washington, DC, paid between March and May 2009.

- e. \$245.77 at WHO'S COOKIN' paid on 3/27/2009
- f. \$594 at "Flowers by Yukie" between January and March 2009
- g. \$219.80 at Happy Harry's on 1/14/2009
- h. \$873.70 at the Timberlake restaurant down in Washington, D.C., paid on 12/19/2008.
- i. \$120.00 at Gallagher & Gallagher for food & beverage paid on 4/29/2009.
- j. \$1,298.67 to COMCAST cable from January 2009 through June 2009.
- k. \$500 for gala tickets to the Chowder & Marching Club — in Maryland!

61. Yet, C.R.E.W. did not call for any investigation into Mike Castle's campaign.

Although Mike Castle was an actual public official, C.R.E.W. asked no questions.

62. While Biden's and Castle's campaign expenses in 2009 may have been legitimate, as O'Donnell's campaign expenses in 2009 and at all times were legitimate, C.R.E.W.'s distinct lack of curiosity about Melanie Sloan's political friends is striking. C.R.E.W. launched a massive publicity campaign to defeat a Federal candidate who is a conservative Republican based on assumptions and speculation, but ignored exactly the same type of expenses reported by Melanie Sloan's political allies in her home State of Delaware, Biden and Castle.

63. On information and belief – in spite of the fact that news coverage was a component of these events – independently of news coverage, C.R.E.W. STILL both received and directly spent more than \$5,000 on this campaign against Christine O'Donnell, under FEC regulations, including in Melanie Sloan's time and salary with C.R.E.W., including its petition drive.

64. Melanie Sloan's salary at C.R.E.W. was \$230,000 per year in 2010 according to C.R.E.W.'s public filings with the IRS, described in see Exhibit L, attached, or \$115 per hour.

65. If Melanie Sloan spent at least 43.5 hours on C.R.E.W.'s project of opposing O'Donnell as a candidate for the 2010 election, Ms. Sloan's time alone exceeded \$5,000.

66. Melanie Sloan grew up in Delaware, after being born in Washington, D.C. She attended school in Delaware. In June 2010, Melanie Sloan gave the commencement address at her alma mater high school in Wilmington, Delaware, Wilmington Friends School. Her parents

have lived continuously in Delaware for decades. Therefore, the conclusion that Melanie Sloan intended to affect the U.S. Senate election in her own home State of Delaware is inescapable.

67. At no time has CREW or Melanie Sloan filed any notices, reports, or forms with the Federal Election Commission to comply with Federal election law or register or report as an "Independent Expenditure."

APPLICABLE LAW AND COUNTS OF LEGAL VIOLATIONS

68. CREW's activities during the 2010 general election in relation to the Delaware election for US Senate (technically a "special election" for the balance of Joe Biden's US Senate seat after Biden's resignation and Sen. Ted Kaufman's temporary place-holder service) constituted an Independent Expenditure advocating the defeat of Christine O'Donnell pursuant to 11 CFR Section 100.16 (2 U.S.C. 431(17)) and 11 CFR Section 100.17 (2 U.S.C. 431(18)) and 11 CFR Section 100.22(b).

69. CREW's activities qualify as advocacy for the defeat of Christine O'Donnell in the 2010 US Senate election under the analysis of 11 CFR § 100.22(b)

(b) When taken as a whole and with limited reference to external events, such as the proximity to the election, could only be interpreted by a reasonable person as containing advocacy of the election or defeat of one or more clearly identified candidate(s) because—

- (1) The electoral portion of the communication is unmistakable, unambiguous, and suggestive of only one meaning; and
- (2) Reasonable minds could not differ as to whether it encourages actions to elect or defeat one or more clearly identified candidate(s) or encourages some other kind of action.

70. It is important to note that 11 CFR § 100.22(b) considers "the electoral portion" of a communication, recognizing that a single communication may contain content that is both advocacy of an election candidate as well as other content for a different purposes.

71. FEC Regulation 11 CFR § 109.10 requires that:

(b) Every person that is not a political committee and that makes independent expenditures aggregating in excess of \$250 with respect to a given election in a calendar year shall file a verified statement or report on FEC Form 5 in accordance with 11 CFR 104.4(e) containing the information required by paragraph (e) of this section. Every person filing a report or statement under this section shall do so in accordance with the quarterly reporting schedule specified in 11 CFR 104.5(a)(1)(i) and (ii) and shall file a report or statement for any quarterly period during which any such independent expenditures that aggregate in excess of \$250 are made and in any quarterly reporting period thereafter in which additional independent expenditures are made.

(c) Every person that is not a political committee and that makes independent expenditures aggregating \$10,000 or more with respect to a given election any time during the calendar year up to and including the 20th day before an election, must report the independent expenditures on FEC Form 5, or by signed statement if the person is not otherwise required to file electronically under 11 CFR 104.18.

72. 11 CFR § 100.113 Independent expenditures requires: "An independent expenditure that meets the requirements of 11 CFR 104.4 or part 109 is an expenditure, and such independent expenditure is to be reported by the person making the expenditure in accordance with 11 CFR 104.4 and part 109."

73. 11 CFR § 104.4 Independent expenditures by political committees (2 U.S.C. 434(b), (d), and (g)) requires:

(a) *Regularly scheduled reporting.* Every political committee that makes independent expenditures must report all such independent expenditures on Schedule E in accordance with 11 CFR 104.3(b)(3)(vii).

Every person that is not a political committee must report independent expenditures in accordance with paragraphs (e) and (f) of this section and 11 CFR 109.10.

(b) *Reports of independent expenditures made at any time up to and including the 20th day before an election—*(1) *Independent expenditures aggregating less than \$10,000 in a calendar year.* Political committees must report on Schedule E of FEC Form 3X at the time of their regular reports in accordance with 11 CFR 104.3, 104.5 and 104.9, all

independent expenditures aggregating less than \$10,000 with respect to a given election any time during the calendar year up to and including the 20th day before an election.

* * *

(f) *Aggregating independent expenditures for reporting purposes.* For purposes of determining whether 24-hour and 48-hour reports must be filed in accordance with paragraphs (b) and (c) of this section and 11 CFR 109.10(c) and (d), aggregations of independent expenditures must be calculated as of the first date on which a communication that constitutes an independent expenditure is publicly distributed or otherwise publicly disseminated, and as of the date that any such communication with respect to the same election is subsequently publicly distributed or otherwise publicly disseminated. Every person must include in the aggregate total all disbursements during the calendar year for independent expenditures, and all enforceable contracts, either oral or written, obligating funds for disbursements during the calendar year for independent expenditures, where those independent expenditures are made with respect to the same election for Federal office.

74. Also, FEC Regulation 11 CFR 104.4(j) requires that "(j) *Earmarked contributions.* Earmarked contributions shall be reported in accordance with 11 CFR 110.6. *See also* 11 CFR 102.8(c)." 11 CFR § 102.8 "Receipt of contributions (2 U.S.C. 432(b)) governs the reporting of donations.

75. Thus, C.R.E.W. was required to report every donation made that was made in response to C.R.E.W.'s specific calls for donations relating to Christine O'Donnell.

76. Although Exhibit J is an electronic mail communication, Complainant believes that C.R.E.W. also engaged in substantially identical or similar communications by the use of regular mail ("direct mail") and through other means, and specifically requests that the Commission require C.R.E.W. by way of investigation, answer, or subpoena to fully disclose and identify the non-electronic mail communications that were sent similar to the email in question.

Complainant is continuing to investigate and expects to find recipients of CREW's other non-

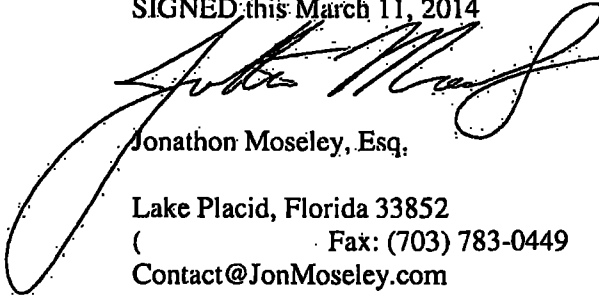
email communications on the same topic.

77. Specifically, C.R.E.W. organized a petition drive against Christine O'Donnell, far beyond simply sending electronic mail. See Exhibits D and K, attached.

WHEREFORE, C.R.E.W. and Melanie Sloan illegally and unlawfully engaged in an independent expenditure for the defeat of Christine O'Donnell as a candidate for the federal office of U.S. Senate, but failed to file any of the notices and reports required by the Federal Election Campaign Act and by the Regulations promulgated by the Federal Election Commission, codified at Code of Federal Regulations Title 11.

I DECLARE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

SIGNED this March 11, 2014


Jonathon Moseley, Esq.
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() Fax: (703) 783-0449
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COMMONWEALTH OF VIRGINIA)
)
COUNTY OF PRINCE WILLIAM)

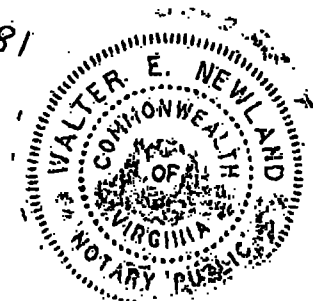
ss.:

Before me, the undersigned Notary Public, in and for the above-mentioned jurisdiction, appeared this day **Jonathon A. Moseley** whose name is signed to the foregoing document, and acknowledged her signature thereto. Subscribed and sworn to before me this 11th day of March, 2014.


Notary Public

My Commission Expires: 08-31-2016

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CREW: 11 OF AMERICA'S MOST CROOKED CANDIDATES MOVING ON TO THE GENERAL ELECTION



15 Sep 2010 // Washington, D.C. - 11 of the most rotten candidates in America have survived primary season, and

will be moving on to the general election. Today, Citizens for Responsibility and Ethics in Washington (CREW) released an updated list of *Most Crooked Candidates* adding Delaware Republican Christine O'Donnell. The latest edition to the national wall of shame has been called everything from "a fraud" by her former campaign manager, to a "perennial candidate who can't get elected dog catcher" by the state Republican Party chair.

"Ms. O'Donnell has had no discernable job for several years, and instead has lived the life of a professional candidate, using the generosity of her campaign donors for her support," said Melanie Sloan, CREW Executive Director. "That may just be freeloading to most people, but it's embezzlement for a federal candidate."

Ms. O'Donnell has demonstrated a disturbing pattern of fraud, lies and fiscal irresponsibility. On her campaign website she claimed to have graduated from a university years before she actually received her diploma - a mere two weeks ago. The IRS slapped liens against her to the tune of over \$11,000, and records show that she has been essentially unemployed. Rather, she has lived in her campaign office and makes a profit by renting out rooms - in clear violation of campaign finance law. Ms. O'Donnell also lied when claimed she had won two counties in her 2008 Senate race against Senator Biden and when caught, lied again claiming the two had tied. In essence, Ms. O'Donnell has demonstrated a total disregard of ethics and integrity.

Ms. O'Donnell is far from the only rotten apple in barrel of candidates; one look at the *Most Crooked Candidates* shows that hucksters come in all political shapes and sizes. In Ohio, former Democratic Congressman James Traficant is now running as an Independent in an attempt to reclaim his old seat: Mr. Traficant is one of only two members of the House of Representatives to be expelled since the Civil War, and served more than seven years in prison for his crimes. He also unsuccessfully ran for reelection from his jail cell in 2002. Meanwhile in the South, Democrat Alvin Green, indicted on an obscenity charge is running for Senate in South Carolina.

"The American People deserve better," concluded Ms. Sloan. "We shouldn't have crooks, liars or frauds on the ballot and we

Contact:

Garrett Russo // 202.408.5565

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shouldn't have to worry that the Most Corrupt Candidates will someday grow up to become the Most Corrupt Members of Congress."

With more than 2,300 people running for office this year, CREW's list is likely only the tip of the iceberg. CREW invites anyone who is aware of a particularly disgraceful candidate to forward information about that candidate's misdeeds to: Tipline@citizensforethics.org.

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Tell the U.S. Attorney: Investigate Christine O'Donnell!



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SIGN THE PETITION

Today, Citizens for Responsibility and Ethics in Washington (CREW) has asked the Delaware U.S. Attorney David Weiss to open a criminal investigation into Christine O'Donnell's abuse of campaign funds. We've also asked the Federal Election Commission to look into the matter. It seems pretty clear to us that she has been using her campaign money to finance her personal life, which is flat-out illegal.

CNN's Anderson Cooper is already covering the issue:

We need your help.

[CLICK HERE to sign our petition encouraging U. S. Attorney David Weiss to fully investigate this matter!](#)

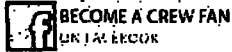
Please be sure to spread the word to all your friends and neighbors.

The task of building a better Washington continues, and we could never do what we do without the continued support of thousands of people just like you.

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FLASHBACK: CREW Calls for Federal Criminal Investigation Into Christine O'Donnell for Campaign Finance Fraud



20 Sep 2010 // Washington, D.C. -Today, Citizens for Responsibility and Ethics in Washington (CREW) filed complaints with the Delaware U.S. Attorney's Office and the Federal Election Commission (FEC) against newly-minted Delaware senatorial candidate Christine O'Donnell (R) for using campaign funds for personal living expenses. By misusing

campaign funds, Ms. O'Donnell committed the crime of conversion; by lying about her expenditures on forms she filed with the FEC, she committed false statements; and by failing to include the campaign funds she misappropriated as income, she committed tax evasion.

"Christine O'Donnell is clearly a criminal, and like any crook she should be prosecuted," said Melanie Sloan, CREW Executive Director. "Ms. O'Donnell has spent years embezzling money from her campaign to cover her personal expenses. Republicans and Democrats don't agree on much these days, but both sides should agree on one point: thieves belong in jail not the United States Senate."

CREW's complaint is based, in part, on the affidavit of former campaign aide David Keegan. Mr. Keegan explained that in 2009, when Ms. O'Donnell was out of money, she paid her landlord, Brent Vasher, two months rent out of her campaign funds. On FEC forms, Ms. O'Donnell called the expenditures "expense reimbursements." Mr. Keegan also attested that Ms. O'Donnell routinely used campaign funds for meals and gas, and even a bowling outing. This is not surprising given that Ms. O'Donnell has not held a steady job or had a discernable source of income for many years.

"If you need money to pay the rent and eat, you get a job; you don't start a Senate campaign so unsuspecting donors can support you," said Sloan.

CREW has asked the Delaware U.S. Attorney's Office to start an immediate criminal inquiry and has asked the FEC to conduct a full audit of all of Ms. O'Donnell's campaign expenses to learn the full extent of Ms. O'Donnell's thievery.

Contact:

Garrett Russo // 202.408.5565

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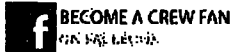
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[CLICK HERE](#) to read CREW's letter to Delaware U.S. Attorney David C. Weiss, requesting an investigation.

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UPDATED: CREW files criminal complaint about Christine O'Donnell's campaign fund usage

Posted on September 20, 2010 by Ginger Gibson
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The Citizens for Responsibility and Ethics in Washington filed a criminal complaint regarding U.S. Senate candidate Christine O'Donnell's use of campaign funds for personal expenses.

They also requested an audit by the Federal Elections Commission into her past campaign funds.

"It is yet another establishment attack this time by Chris Coons' goons, and he should denounce it as shameless and frivolous," O'Donnell campaign manager Matt Moran responded in a statement.

The News Journal reported on O'Donnell's use of campaign funds in March to pay most of the rent on her Greenville town home. Melanie Sloan, CREW executive director FEC and legal precedent prohibit a candidate from using funds for rent.

Sloan also pointed to payments made by O'Donnell to former campaign lawyer and boyfriend Brent Vasher. While the payments are listed as "reimbursements," Sloan said were for rent for the home where she was living.

"Christine O'Donnell is clearly a criminal, and like any crook she should be prosecuted," said Sloan. "Ms. O'Donnell has spent years embezzling money from her campaign cover her personal expenses. Republicans and Democrats don't agree on much these days, but both sides should agree on one point: thieves belong in jail not the United Senate."

She added that by paying for food, gas and a bowling outing constitute embezzlement and should be prosecuted.

The group filed a criminal complaint with Delaware-based U.S. Attorney David Weiss and with the FEC.

"If you need money to pay the rent and eat, you get a job; you don't start a Senate campaign so unsuspecting donors can support you," said Sloan.

CREW is a non-partisan, non-profit group that files criminal, ethic and FEC complaints about elected officials and candidates from both political parties. Sloan, who is original from Delaware, noted that they have filed complaints against more Democrats than Republicans in recent years.

Campaign lawyer Cieta Mitchell issued the following response:

"This is obviously a political ploy by the George Soros-funded, left-wing CREW, which has devoted itself to attacking Republicans. Interesting that they have scurried around to gain headlines by attacking Christine now – they must be worried about Christine's momentum."

Since we have not been served with any of these papers – they were sent to the media rather than to us, which is so typical of CREW. They are a media / headline grabbing left-wing organization..

But we will go to their website and read what they've handed out to the press – and we will review the allegations and be prepared to take whatever steps are necessary to clear Christine's name from these ridiculous charges."

This entry was posted in Delaware in D.C., Elections and tagged campaign, candidate, Christine O'Donnell, complaint, crew, Delaware, election, FEC, politics, Republican Senate, tea party. Bookmark the permalink.

204 Responses to **UPDATED: CREW files criminal complaint about Christine O'Donnell's campaign fund usage**

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Melanie Sloan: "Christine O'Donnell is clearly a criminal, and like any crook..."

Emily Esfahani Smith, Ed. · Sep. 22 at 7:20am

..."she should be prosecuted," according to Melanie Sloan, the executive director of Citizens for Responsibility and Ethics (CREW), a Washington-based liberal watchdog group.

According to Talking Points Memo,

Delaware Republican Senate candidate Christine O'Donnell allegedly used more than \$20,000 in campaign funds to pay her rent and other personal expenses, according to a complaint filed Monday by Citizens for Responsibility and Ethics (CREW) in Washington, a nonpartisan watchdog group.

With guns blazin', Sloan says that,

Christine O'Donnell is clearly a criminal, and like any crook she should be prosecuted...Ms. O'Donnell has spent years embezzling money from her campaign to cover her personal expenses. Republicans and Democrats don't agree on much these days, but both sides should agree on one point: thieves belong in jail not the United States Senate.

Meanwhile, as TPM points out, O'Donnell's lawyer struck back, calling CREW a "left-wing front group" funded by, who else, George Soros. Speaking to the Christian Science Monitor, Cleta Mitchell, O'Donnell's attorney, says, "If Melanie Sloan wants to deny that, you tell Melanie Sloan to reveal her donors...She is not a neutral arbiter of ethics."

The CSM reports:

In a March interview with The News Journal of Wilmington, O'Donnell acknowledged using campaign funds to pay half the rent at her current town home and said it was legal because of the home's dual purpose as a campaign headquarters.

O'Donnell essentially used her campaign's bank card as her personal ATM, CREW executive director Melanie Sloan said, and the improper spending likely would have gone unnoticed if not for her surprise victory in last week's primary.

CREW, which describes itself as nonpartisan but is undoubtedly liberal, has filed a complaint against O'Donnell with the Federal Elections Committee and has "sent a letter to Delaware U.S. Attorney David C. Weiss asking for a criminal investigation of O'Donnell."

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Jimmy Carter

"...thieves belong in jail or the United States Senate."

#1 · Sep 22 at 7:30am · Like, Share, Permalink

Michael Tee

Ooh. More Pageviews.

You and Mike Murphy should get together and go bowling.

#2 · Sep 22 at 7:34am · Like, Share, Permalink



Emily Esfahani Smith, Ed.

ha! touche, Jimmy.

Jimmy Carter: "...thieves belong in jail or the United States Senate." · Sep 22 at 7:30am

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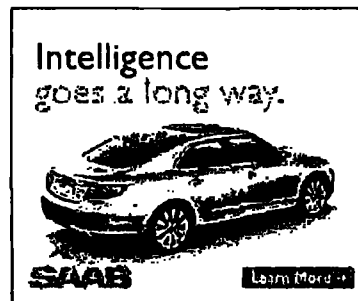
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Contributor Feed

Re: Obama's Self-Defeat

Paul A. Rahe

Michael Isbelt

The stronger the executive is, the more capable it is to become a meddlesome, dangerous element. See post-WW2 U.S. foreign policy. ...

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Mar 30 at 4:32pm · Like (0), Share, Res in conversation

Re: Declaring War

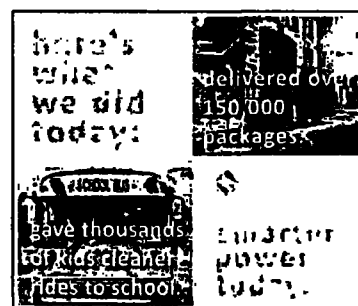
Paul A. Rahe

Hang On:

I think declarations of war should be required precisely because it causes the public to focus on the issue in a way that the Gulf of Tonkin Resolution or Authorization Act did not. Declarations of war should be solemn and invests people in the results. ...

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Mar 30 at 4:21pm · Like (0), Share,



Michael...I think you and I, and Mike Murphy if he's around, should get together and go bowling. We'd all have a lot to talk about--and it would be fun!

Michael Tee: Ooh. More Pageviews.

You and Mike Murphy should get together and go bowling. · Sep 22 at 7:34pm

#3 · Sep 22 at 7:47am · Like, Share, Permalink

Michael Tee

We'd have such little overlap with me being a conservative and all. :)

#4 · Sep 22 at 8:47am · Like, Share, Permalink



Joined
Jul '10

Aaron Miller

Criminals should be held accountable, of course. I have no opinion on O'Donnell.

But I'm always saddened when courts are even peripherally involved in campaigns. Does anything, aside from public sentiment, prevent or discourage lawsuits launched during campaigns to smear candidates? Are courts being involved in elections any more often today than in the past?

#5 · Sep 22 at 10:45am · Like, Share, Permalink



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Novotel City, Barcelona



Emily Esfahani Smith, Ed.

Aaron Miller: Are courts being involved in elections any more often today than in the past? · Sep 22 at 10:45am

That's a good question Aaron. I don't know. My hunch, though, is that the courts are more involved now than they were in the past simply because elections seem to be so much more divisive and combative these days--and the courts are an arena for contestants to fight it out.

#6 · Sep 22 at 1:04pm · Like, Share, Permalink

Michael Tee

Worth a look and a link!

#7 · Sep 22 at 4:27pm · Like, Share, Permalink



Joined
Jul '10

barbara lydick

Think it was Teddy Roosevelt who quipped "When they call the roll in the Senate, the senators do not know whether to answer 'present' or 'guilty'."

Expect this rent story to have long legs -- but the military not receiving their ballots in time to vote; registration irregularities in Texas (and points north, east and west); etc.: Move along folks, nothing to see here.

#8 · Sep 22 at 5:36pm · Like, Share, Permalink



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September 29, 2010

Christine O'Donnell Can't Outrun Her Past

By CREW Staff

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This op-ed originally appeared in the Wilmington News Journal 9.29.10
(<http://www.delawareonline.com/article/20100929/OPINION09/9290303/1004/OPINION/C>)

Following Christine O'Donnell's surprising upset victory over Congressman Mike Castle, I learned that in the last days before the primary election, Ms. O'Donnell's former campaign manager, Kristin Murray, made robocalls informing voters that Ms. O'Donnell "was living on campaign donations -- using them for rent and personal expenses, while leaving her workers unpaid and piling up thousands in debt."

I also spoke to former campaign staff member David Keegan, who made similar comments and provided details. As a former prosecutor heading up an organization that focuses on money and politics, I realized Ms. O'Donnell had embezzled campaign funds to support herself.

As a result, my organization, Citizens for Responsibility and Ethics in Washington (CREW) quickly filed a complaint with the Federal Election Commission (FEC) and asked the Delaware U.S. Attorney's Office to open a criminal investigation.

Did Ms. O'Donnell respond by publicly justifying her expenditures to the media and the public? Did she explain how she had managed to eat and pay rent on the mere \$5,800 income she disclosed for 2009?

No. Instead, while decrying Washington, she left it to her newly hired expensive Washington lawyer (finally, a legitimate campaign expense!), well-known Republican insider Cleta Mitchell, not to defend her conduct, but to mount an attack against CREW.

Ms. Mitchell threatened to sue CREW for libel, while in the same breath, lying about CREW's record, calling us a Democratic front group. Clearly, Ms. Mitchell hoped to change the subject from Ms. O'Donnell's conduct to CREW's. But don't expect a lawsuit; truth is a defense to a libel claim.

As Ms. O'Donnell's former staff members reported, she used tens of thousands of dollars from her campaign to finance her personal life. For example, in March and April 2009, Ms. O'Donnell paid her rent out of her campaign account, but called the payments expense reimbursements.

She also claimed other personal expenses, such as meals, gas and even a bowling outing, were campaign related.

In addition, Ms. O'Donnell, who had no campaign treasurer, personally filed in the reports she submitted to the FEC. Without any oversight, it was easy for her to file reports falsely claiming expenditures for rent, meals and the like were campaign related. Knowingly filing false reports with the FEC is a federal crime.

Finally, by treating campaign funds like her own money, those funds became income and like all other income, should have been reported to the IRS. But given that Ms. O'Donnell lied on her FEC forms, it is highly unlikely she declared this income on her tax returns meaning she likely committed a third crime: tax evasion.

If Ms. O'Donnell were to sue CREW for libel, the court would allow us to prove we had told the truth. We would be granted the right to depose witnesses under oath, including not just former campaign staffers such as Mr. Keegan and Ms. Murray, as well as Ms. O'Donnell's four former campaign treasurers, but also Ms. O'Donnell herself. We would have the chance to ask detailed questions about how Ms. O'Donnell supported herself on just \$5,800, and we could question and demand records and receipts for each so-called campaign expenditure. And of course, CREW would be free to make all of that information public.

No lawyer, not even one as poorly versed in libel law as Ms. Mitchell appears to be, would put her aspiring political candidate through that. So a lawsuit is probably not forthcoming.

Ms. Mitchell also has stated that Ms. O'Donnell will go back and "correct" FEC forms that might have "mistakenly" listed expenses incorrectly. Further, Ms. Mitchell has suggested Ms. O'Donnell will retroactively take a salary from the campaign, which would make the rent payments permissible. If this sounds legally dubious, that's because it is.

While candidates legally can collect a salary from their campaign, they can't do so retroactively. Just like a bank robber can't go back in time and claim the stolen money was actually a "security consulting fee," Ms. O'Donnell can't turn back the clock either.

Ms. O'Donnell would prefer Delawareans focus not on her actions, but on CREW's motives. First, CREW is a nonpartisan organization with a long record of taking on unethical politicians regardless of party affiliation. But more important, Christine O'Donnell is running to serve the people of Delaware as their elected representative in the United States Senate -- a position that demands integrity and honesty.

Sadly, Ms. O'Donnell has demonstrated neither.

This op-ed originally appeared in the Wilmington News Journal 9.29.10
(<http://www.delawareonline.com/article/20100929/OPINION09/9290303/1004/OPINION/0>)

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CREW's CROOKED CANDIDATES

Continuing the Culture of Corruption 2010

Since 2005, CREW has highlighted the most egregious violators of the public trust in our annual *Most Corrupt Members of Congress* report. Now, CREW has begun a list of *Crooked Candidates* to shine the spotlight on some of the lousy politicians vying for federal office in 2010.

In compiling the list, CREW left aside all incumbents. CREW's research team pored over news articles, blogs and public records to find those candidates who have engaged in criminal or unethical conduct. The list is intended to complement our ongoing effort to ensure those representing our country exemplify the values of honesty and integrity.

CREW recognizes that with 2,300 people running for federal office this year, our list is by no means complete. In fact, we may not even have found the worst! Now we need your help: which truly terrible candidates did we miss? Submit your nominees to us and we'll see if they rank among 2010's most crooked candidates.

Here is who we have so far:

CREW's Crooked Candidates 2010

- Roy Blunt (R) U.S. Senate, MO - ELECTED
- Charlie Crist (I) U.S. Senate, FL - DEFEATED
- Jeff Denham (R) U.S. House, CA - ELECTED
- Alvin Greene (D) U.S. Senate, SC - DEFEATED
- Jeff Greene (D) U.S. Senate, FL - DEFEATED
- Timothy Griffin (R) U.S. House, AR - ELECTED
- J.D. Hayworth (R) U.S. Senate, AZ - DEFEATED
- Ed Martin (R) U.S. House, MO - DEFEATED
- Kendrick Meek (D) U.S. Senate, FL - DEFEATED
- Christine O'Donnell (R) U.S. Senate, DE - DEFEATED
- Dino Rossi (R) U.S. Senate, WA - DEFEATED
- Marco Rubio (R) U.S. Senate, FL - ELECTED
- James Traficant (I) U.S. House, OH - DEFEATED
- Allen West (R) U.S. House, FL - ELECTED

Roy Blunt

Running for U.S. Senate, Missouri

Roy Blunt is a candidate in the Republican primary for the United States Senate in Missouri. For the last 14 years, Rep. Blunt has served in the U.S. House of Representatives in the state's 7th congressional district. As a member of Congress, Rep. Blunt came under fire for a variety of issues including employing the same corrupt tactics that forced his mentor, former Texas Rep. Tom DeLay, to resign. Rep. Blunt's ethical issues were documented in CREW's 2006 report on the most corrupt members of Congress.



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In 2003, Rep. Blunt divorced his wife of 31 years to marry Philip Morris (now Altria) lobbyist Abigail Perlman. Before it was known publicly that Rep. Blunt and Ms. Perlman were dating-- and only hours after Rep. Blunt assumed the role of Majority Whip - he tried to secretly insert a provision into Homeland Security legislation that would have benefitted Philip Morris, at the expense of competitors. Notably, Philip Morris/Altria and its subsidiaries contributed at least \$217,000 to campaign committees connected to Rep. Blunt from 1996 to 2006.

Also in 2003, Rep. Blunt helped his son, Andrew Blunt, by inserting a provision into the \$79 billion emergency appropriation for the war in Iraq to benefit U.S. shippers like United Parcel Service, Inc. and FedEx Corp. Andrew Blunt lobbied on behalf of UPS in Missouri, and UPS and FedEx contributed at least \$58,000 to Rep. Blunt from 2001 to 2006.

Family connections have also helped another of Rep. Blunt's sons, former Missouri Governor Matt Blunt. Gov. Blunt received campaign contributions from nearly three dozen influential Missouri lobbyists and lawyers when he ran for governor of Missouri in 2004, half of whom had provided financial support to his father. Earlier in 2000, when Matt Blunt was running for Secretary of State, Rep. Blunt was involved in an apparent scheme, along with Rep. DeLay, to funnel money through a local party committee into Matt Blunt's campaign committee.

Rep. Blunt and his staff had close connections to convicted former lobbyist Jack Abramoff. In June 2003, Mr. Abramoff persuaded then-Majority Leader DeLay to organize a letter, co-signed by then-Speaker Dennis Hastert, then-Whip Blunt, and then-Deputy Whip Eric Cantor, which endorsed a view of gambling law benefitting Mr. Abramoff's client, the Louisiana Coushatta, by blocking gambling competition by another tribe. Mr. Abramoff had donated \$8,500 to Rep. Blunt's leadership PAC, Rely on Your Beliefs.

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Charlie Crist

Running for U.S. Senate, Florida

Governor Charlie Crist is an Independent candidate running for United States Senate from Florida. Charlie Crist is currently the governor of Florida, but has held several public offices over the last 18 years.

Gov. Crist handpicked Jim Greer to head the Florida Republican Party. Despite multiple calls for Mr. Greer's resignation by fellow Republicans, due to extravagant spending at the party's expense, Gov. Crist defended Mr. Greer. Mr. Greer is now facing six counts of grand theft, fraud and money laundering. He is accused of secretly setting up a shell company, Victory Strategies, and signing a deal that would give Victory Strategies 10% of GOP donations - a deal that Gov. Crist allegedly approved.

Prior to serving as governor, Gov. Crist was the state's attorney general. As attorney general, Gov. Crist was criticized for failing to investigate those with whom he had political or financial ties. First, he failed to investigate state contractor GDX for leaking the personal information of 100,000 state employees. GDX had been subcontracted by computer company Convergys to index electronic personnel records but when GDX outsourced the job overseas, the personal information of up to 100,000 state employees may have been exposed. Convergys had close ties to then-Attorney General Crist. The company had hired his advisor as a lobbyist and was a donor to the Republican Party. Attorney General Crist dropped the investigation.

As attorney general, Gov. Crist also failed to fully investigate boy-band mogul Lou Pearlman. Mr. Pearlman, who ran a \$300 million investment scam, was eventually indicted by federal authorities and pled guilty of fraud, conspiracy and money laundering charges. He was sentenced to 25 years in prison. A lawsuit brought by investors claimed Gov. Crist and Florida regulators knew about the scheme but turned a blind eye for four years. The suit alleges Mr. Pearlman got a pass from the then-attorney general because he had donated at least \$12,000 to Gov. Crist's campaign.

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Jeff Denham

Running for U.S. House, California

Jeff Denham is the Republican candidate for California's 19th congressional district. He has served as a California State Senator since 2003.

Sen. Denham has been accused of supporting the interests of Chukchansi Indian's casino in exchange for the tribe's political support. Sen. Denham used his influence to oppose construction of a \$250 million casino proposed by the North Fork Rancheria of Mono Indians, which would likely compete with the existing Chukchansi casino.



The Chukchansi Indian tribe has been tied to campaign ads and a charity event supporting Sen. Denham. First, the interest group, Californians for Fiscally Conservative Leadership, set up by the Chukchansi Indian tribe, aired radio ads attacking Sen. Denham's opponent just before the congressional primary election.

Additionally, Sen. Denham donated \$25,000 and loaned \$150,000 from his state senate campaign account to the nonprofit Remembering the Brave. The nonprofit was working in coordination with the Chukchansi Indian Tribe to host a charity concert. Remembering the Brave sponsored radio and television advertisements, prominently featuring Sen. Denham, to promote the concert. Experts agreed that the exposure the ads afforded Sen. Denham likely benefited his run for Congress. By donating and loaning the money from his state campaign account Sen. Denham may have violated rules forbidding the use of state campaign money on a federal race.

Furthermore, the Chukchansi Indian Tribe stated in a marketing memo that the charity concert would "raise funds for Jeff Denham and Joe Alberta campaigns." The tribe later called the memo a misprint.

Lastly, Sen. Denham may have violated federal election law in late March when he traveled on a plane owned by Harris Farms, a California agribusiness. Since 2007 it has been illegal for congressional candidates to fly on corporate planes. Sen. Denham boarded the plane with Karl Rove and Andy Vidak, a Republican candidate from the neighboring 20th district, and flew from Fresno to East Bay and then to Harris Ranch. Local charter operators estimated the cost of the flight to have been at least \$750, but Sen. Denham, in his campaign finance disclosures, reported only \$150 to Harris Farms for travel expenses.

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Alvin Greene

Running for U.S. Senate, South Carolina

Alvin Greene is the Democratic nominee for United States Senate from South Carolina.

There are major questions about the legitimacy of Mr. Greene's campaign. When Mr. Greene won the primary he had engaged in no fundraising, had no website and had no organized campaign. Mr. Greene was discharged from the Army in August 2009, is currently unemployed and lives with his father. In addition, when Mr. Greene was charged with obscenity in November 2009 for showing pornography to a University of South Carolina student, he was assigned a public defender, a service normally provided only to indigent defendants. On August 13, 2010, Mr. Greene was indicted on obscenity charges.



Given Mr. Greene's apparent lack of funds, CREW and others raised questions about whether someone had paid the \$10,440 fee to file as a candidate with his own money. The South Carolina Law Enforcement Division (SLED) investigated Mr. Greene's finances and found he had used his own savings from the Army to pay the registration fees. SLED also found Mr. Greene had no intent to

deceive the court when he applied for a public defender to defend him against the obscenity charges though he is now being represented by a private lawyer.

Several politicians have criticized Mr. Green including House Majority Whip James Clyburn who claimed Mr. Greene is "someone's plant" from an outside party and called for an investigation by the U.S. Attorney's office.

CREW also filed a complaint with the Federal Election Commission (FEC) alleging Mr. Greene violated the Federal Election Campaign Act (FECA) and FEC regulations by failing to file mandatory disclosure reports prior to the election. CREW's complaint to the FEC alleges Mr. Greene failed to file a Statement of Candidacy and that his campaign committee, Alvin M. Greene for Senate, failed to file a Statement of Organization as well as the April 15th and 12-Day Pre-Primary reports. These reports would have disclosed the campaign's contributions and expenditures leading up to the June 8, 2010 primary. CREW asked the FEC to refer any knowing and willful violations to the Department of Justice for criminal prosecution.

Offering an unusual job creation proposal, Mr. Greene suggested someone "make toys of me, especially for the holidays. Little dolls. Me. Like maybe little action dolls. Me in an army uniform, air force uniform, and me in my suit. They can make toys of me and my vehicle, especially for the holidays and Christmas for the kids. So you see I think out of the box like that. It's not something a typical person would bring up. That's something that could happen, that makes sense. It's not a joke." Later, Mr. Greene elaborated, "I am a true American hero and if any of the toy companies want to put something like that forward that would be good." He said he has not received any inquiries, but that it would be "Just a good positive thing for the kids."

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Jeff Greene

Running for U.S. Senate, Florida

Jeff Greene is a candidate in the Democratic primary for the United States Senate in Florida. Mr. Greene is a business man and a Los Angeles real estate mogul.

While self-financing his Senate campaign, Mr. Greene appears to be skirting Federal Election Commission regulations by not giving complete information regarding vendors used by his campaign. Mr. Green is financing his campaign, in part, through a series of in-kind contributions, but the campaign has not revealed the names of the vendors providing services. While technically not illegal, this obfuscation does make investigating Mr. Greene's campaign very difficult. Another self-funded U.S. Senate candidate, Linda McMahon of Connecticut, received a letter from the FEC earlier this campaign cycle asking her to correct a similar issue with her campaign.

Mr. Greene has had questionable business dealings. In 1997, movie director, Ron Howard, signed a six-month, \$28,500 per month lease on a house from Mr. Greene. After the first month, due to leaks in the roof and a rat infestation, Mr. Howard decided to abandon the lease. Mr. Greene sued Mr. Howard for breach of contract and Mr. Howard counterclaimed Mr. Greene for breach of contract and misrepresentation. Mr. Greene lost the suit and was forced to pay Mr. Howard \$616,000. Mr. Greene's nearly 8,000 properties have been the subjects of numerous lawsuits over the years but few, if any, besides Mr. Howard's, seem serious.

In 2005, a multimillion dollar yacht owned by Mr. Greene dropped anchor on an environmentally sensitive coral reef off the coast of Belize causing major damage. While the case remains open in the country, a government official said that Mr. Greene and the boat's captain could be liable for up to \$1.87 million in fines if they ever return to Belize. Mr. Greene claims the incident did not happen, but the St. Petersburg Times unearthed significant evidence that it did.

Mr. Greene also has been criticized for amassing his wealth through credit default swaps and subprime mortgages. In fact, Mr. Greene was likely the first individual to trade credit default swaps. Mr. Greene invested millions of dollars betting that the market would fall, and once it did, made \$800 million while many Americans were facing foreclosure.



Finally, Mr. Greene paid Democratic National Committee member Jon Ausman \$4,000 for political consulting and strategy six days before Mr. Ausman endorsed Mr. Greene for Senate.

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Timothy Griffin

Running for U.S. House, Arkansas

Timothy Griffin is the Republican nominee for Arkansas's second congressional district.

Mr. Griffin was a former aide to and protégé of notorious political operative Karl Rove. In the 2004 presidential election, Mr. Griffin was the research director of the RNC where he may have spearheaded Republican vote caging efforts, a legally questionable direct mail campaign to disenfranchise poor, minority and military voters.



Mr. Griffin was most prominently touched by scandal when he was picked to replace a U.S. Attorney in Arkansas who, despite being highly regarded, had been asked to resign. Emails between the Justice Department and the White House revealed that despite his lack of prosecutorial experience, the selection of Mr. Griffin was personally important to Mr. Rove. Knowing that he would never pass muster at a Senate confirmation hearing, Mr. Griffin was appointed interim U.S. Attorney for an indefinite time period under a misused, emergency provision of the PATRIOT Act.

Mr. Griffin resigned effective June 1, 2007, after less than six months on the job and in the midst of an investigation by the House Judiciary Committee into the political motivations behind the U.S. Attorney scandal.

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J.D. Hayworth

Running for U.S. Senate, Arizona

J.D. Hayworth is a candidate in the Republican primary for the United States Senate in Arizona.

Mr. Hayworth served in the U.S. House of Representatives for twelve years before losing his 2006 bid for reelection in part due to his ethics issues. While in Congress, Rep. Hayworth drew intense criticism for his extensive ties to Jack Abramoff and for employing his wife to run his political action committee (PAC).

Rep. Hayworth's ethical issues were documented in CREW's 2006 report on the most corrupt members of Congress. After losing his seat, Rep. Hayworth hosted a conservative talk-radio show, but he left that job earlier this year to run for Senate.



While in Congress, Rep. Hayworth accepted donations to his campaign and leadership PAC from convicted lobbyist Jack Abramoff's clients. Rep. Hayworth also used Mr. Abramoff's skyboxes five times without reporting the costs in his Federal Election Commission (FEC) filings. Rep. Hayworth's failure to report the skyboxes as campaign contributions violated federal election law, and Rep. Hayworth was later forced to repay the skybox owners. Rep. Hayworth was later cleared of any additional wrongdoing in the Abramoff scandal.

Rep. Hayworth's ties to Abramoff also enriched his family. Between 1999 and 2007, Rep. Hayworth's wife, Mary, worked as the sole paid employee of TEAM PAC, his leadership PAC. During that time, Ms. Hayworth was paid over \$140,000. Additionally, \$83,000 of the PAC donations came from Abramoff-related interests. Given that the PAC's bookkeeping was farmed out to an accounting firm, Ms. Hayworth's role in the PAC was unclear. Rep. Hayworth terminated the PAC in 2008.

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Ed Martin

Running for U.S. House, Missouri

Ed Martin is a candidate in the Republican primary for Missouri's third congressional district.

Mr. Martin was previously the Chief of Staff for former Republican Missouri Governor Matt Blunt. After serving the governor for a mere 15 months, Mr. Martin was forced to resign.



On August 20, 2007, Mr. Martin sent emails from his government account to Republican Party activists urging them to rally against Attorney General Jay Nixon, a Democrat and rival of Governor Blunt. A reporter caught wind of Mr. Martin's actions and requested access to the emails under Missouri open government laws. The governor's office falsely claimed the emails had been deleted. When Scott Eckersly, the lawyer responsible for processing the reporter's request, notified Mr. Martin that deleting emails was a violation of state law and the governor's office's own policy, Mr. Martin fired him.

Due to the controversy surrounding Mr. Eckersly's termination, Mr. Martin was pressured to resign, though Governor Blunt denied forcing him out. Mr. Eckersly subsequently brought a wrongful termination and defamation suit against Mr. Martin and other officials in the governor's office. The State of Missouri ultimately agreed to a \$500,000 settlement with Mr. Eckersly and spent an additional \$1.3 million on legal fees - all because of Mr. Martin's inappropriate conduct. An investigation by state officials later found that the governor's office failed to properly disclose Mr. Martin's emails.

In 2005, a hydroelectric dam collapsed causing a deluge of water to damage a Missouri state park. The subsequent investigation by the Missouri State Patrol found no evidence of criminal conduct. Citing the State Patrol's report, Attorney General Nixon declined to press criminal charges against the operator of the dam. Mr. Martin, who had attacked Attorney General Nixon throughout the investigation, strongly urged the State Patrol to criticize Mr. Nixon for failing to prosecute. Under intense pressure from the governor's office, the superintendent of the State Patrol released a statement urging the attorney general to follow-up on the report. Once it became clear that Mr. Martin had prompted the superintendent's statement, Mr. Martin was roundly criticized for trying to play politics with the State Patrol.

Finally, Mr. Martin has demonstrated insensitivity to race issues. In an appearance before the Missouri Housing Development Commission, in response to a lawyer's argument about the availability of a federal database to screen illegal immigrants, Mr. Martin responded, "I'll tell you what's available, is every frigging developer can figure out who is illegal, and when he says - like he told them - there's a bunch of Mexicans out there, I guess some of them are probably not legal." While Mr. Martin claimed he was simply paraphrasing a statement made earlier in the meeting, his tactless comments prompted Jim Torres, a secretary and legislative liaison for the Commission, to resign. In a letter to Governor Blunt, Mr. Torres said that he found Mr. Martin's comments offensive and asked the Governor to apologize. In the wake of the Mr. Martin's comments, Hispanic groups across Missouri called on Mr. Martin to resign.

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Kendrick Meek

Running for U.S. Senate, Florida

Representative Kendrick Meek is a candidate in the Democratic primary for United States Senate from Florida. Rep. Meek has spent the last 15 years holding public office, including the last 8 years representing the 17th district of Florida in the U.S House of Representatives.

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Rep. Meek has been criticized for his relationship with developer Dennis Stackhouse, who is now awaiting trial for grand theft and organizing a scheme to defraud. Rep. Meek earmarked \$1,072,750 million for Mr. Stackhouse's development project and requested an additional \$4 million in earmarks for Mr. Stackhouse, which were never awarded. In addition, both Rep. Meek and his former district director, Anthony Williams, served on the Miami-Dade Urban Revitalization Task Force, which loaned \$2.2 million to Mr. Stackhouse's project, but Rep. Meek did not vote on that particular loan.



At the same time Mr. Stackhouse employed Rep. Meek's mother, former Congresswoman Carrie Meek, as a consultant paying her \$90,000, giving her the free use of a leased Cadillac Escalade and donating the use of a 2,600 square foot office for her foundation. Mr. Stackhouse further curried favor with the congressman by contributing thousands to Rep. Meek's campaign in 2003. Furthermore, Mr. Stackhouse gave Mr. Williams \$13,000 to help him buy a house. Police tried to make a case against Mr. Williams for mortgage fraud, but prosecutors believed the evidence gathered was insufficient. Rep. Meek claimed not to have known about the mortgage deal.

During Rep. Meek's tenure in the state Senate, he was employed by Wackenhut Corrections Corporation as a business development officer. Rep. Meek's relationship with the company led to numerous conflicts of interest. For example, Rep. Meek failed to recuse himself from voting on bills that directly impacted Wackenhut's bottom line. He was also a member of the Senate appropriations Subcommittee on Public Safety and Judiciary, partly in charge of doling out state funds, while corrections-giant Wackenhut had multi-million dollar business dealings with the state.

The circumstances surrounding Rep. Meek's initial election to Congress are questionable. Rep. Carrie Meek, his mother and representative for the 17th district, decided two weeks before the qualifying deadline for the primary election that she wasn't going to run again, putting potential opponents at a disadvantage. She also announced her son would be running in her stead, essentially bequeathing him the seat.

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Christine O'Donnell

Running for U.S. Senate, Delaware

Christine O'Donnell is the Republican candidate for United States Senate in Delaware. This is Ms. O'Donnell's third campaign for the Senate in five years.



Ms. O'Donnell has drawn intense criticism for a multitude of questionable financial issues that most notably include using campaign funds for personal expenses. Her former campaign manager accused her of using campaign donations for rent, among other things. Ms. O'Donnell acknowledged doing so, but said the rent expenditures were justified because her townhouse is also her campaign headquarters. Records show that Ms. O'Donnell has no steady income and earned only \$5,800 last year.

Ms. O'Donnell's financial woes don't stop there. In March 2010, the IRS filed a lien against Ms. O'Donnell for more than \$11,000 in unpaid income taxes and fees. She claims there was a computer glitch and has since paid an undisclosed amount to settle the issue. In 2008, she was sued by her mortgage company for not making payments since October 2007. While the house was in foreclosure, Ms. O'Donnell sold it to her then-boyfriend. She said she sold the house in order to fund her campaign and denied that she was ever sued by her mortgage company despite court records showing otherwise.

Other questions about Ms. O'Donnell's honesty and integrity abound. For example, Ms. O'Donnell has provided varying accounts about her educational background. During her 2006 and 2008 Senate campaigns Ms. O'Donnell touted a degree from Fairleigh Dickinson University. During this campaign, however, her website stated merely that she attended FDU. This month, 17 years after she attended

college, an FDU spokesman confirmed Ms. O'Donnell finally earned her degree after completing a course requirement just this summer. FDU sued Ms. O'Donnell in 1994, citing unpaid tuition bills.

Additionally, Ms. O'Donnell falsely claimed she had carried two of the three counties in Delaware during her 2008 Senate campaign against former Sen. Joe Biden. When confronted about the statements by a radio host this September, she denied making that claim. The radio host then played audio of her at a rally making the statement. In response, she claimed to have clarified her remarks by stating she meant she tied Sen. Biden in those counties; that, too, was a lie.

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Dino Rossi

Running for U.S. Senate, Washington

Dino Rossi is a Republican candidate in the primary for the U.S. Senate in Washington. He is real estate investor who previously served as a state senator and twice ran for governor of Washington.



In the 1990s, Sen. Rossi developed a relationship with one of Seattle's biggest real estate developers, Michael Mastro. In 1997, when Sen. Rossi was serving in the state Senate, he purchased a building from Mr. Mastro. Two of Sen. Rossi's fellow investors were Washington state lobbyists, David Ducharme and his father, Richard Ducharme. Mr. Mastro loaned the threesome \$2 million to purchase the \$2.5 million property. Separately, Sen. Rossi borrowed \$50,000 from Mr. Mastro for the purchase, which he did not report as required on his financial disclosure forms. Mr. Mastro was also a donor to both of Sen. Rossi's campaigns for governor. In 2008, Mr. Mastro's multimillion dollar empire crumbled after it became apparent he had been promising untenable returns to investors.

Sen. Rossi's relationship with the Ducharmes continued long after they sold the building they had purchased from Mr. Mastro. While still a state senator, Sen. Rossi turned to the pair once again and convinced them to invest in a bank that he had started. Sen. Rossi invested at least \$75,000 of his own money in the bank and made David Ducharme CEO. In 2009, the bank came under investigation for "engage[ing] in unsafe and unsound banking practices relating to its strategic and capital planning, credit underwriting, credit administration, concentration risk management, and liquidity management." David Ducharme is currently working to secure enough capital to appease federal regulators.

Following his defeat in the 2004 gubernatorial race, Sen. Rossi started the Forward Washington Foundation. Sen. Rossi used the foundation to pay himself \$75,000 a year while traveling the state giving speeches but little else. Sen. Rossi treated the foundation much like his own campaign committee, but he didn't have to abide by campaign contribution limits or disclosure laws. The Public Disclosure Commission (PDC) opened an investigation into the foundation but Sen. Rossi stepped down as president before the investigation was complete and declared his candidacy for governor. The Commission later ended its investigation because of insufficient evidence.

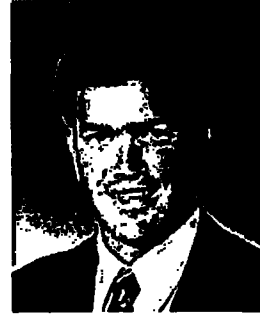
In his run for governor in 2008, Sen. Rossi was supported by the Building Industry Association of Washington (BIAW). The BIAW spent \$6.9 million largely to promote Sen. Rossi and criticize his opponent throughout the race. A complaint filed with PDC alleged that Sen. Rossi violated state law by coordinating fundraising with the BIAW, failing to register as a candidate in a timely manner, exceeding contribution limits and failing to disclose contributions. After an investigation, the PDC eventually cleared Sen. Rossi of any wrongdoing, but its final report revealed how closely the BIAW skirted the law in promoting his candidacy. Sen. Rossi's close relationship to the BIAW shouldn't have come as any surprise, though; Richard Ducharme is a former lobbyist for the BIAW.

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Marco Rubio

Running for U.S. Senate, Florida

Marco Rubio is a candidate in the Republican primary for United States Senate from Florida. Mr. Rubio served 8 years in the Florida House of Representatives, including two years as the Speaker of the House.



Mr. Rubio is currently implicated in a federal criminal investigation for the misuse of Florida Republican Party credit cards during his time as Speaker. Specifically, the IRS is examining records to determine if Mr. Rubio and other party leaders personally benefitted from the credit card scheme.

Legally, party credit cards can only be used for political activities, but Mr. Rubio and his staff charged many seemingly personal expenses on the cards including car repairs, and grocery purchases. Mr. Rubio's chief of staff racked up thousands of dollars in expenses on behalf of Mr. Rubio on his card including dinners and a Rubio family trip to a Georgia resort.

Mr. Rubio also admitted he double-billed both the Republican Party and state taxpayers for eight flights totaling about \$3,000 in 2007. Mr. Rubio promised to refund the party, because the trips were for official business, but had not as of April 20, 2010.

Additionally, Mr. Rubio inserted earmarks into the state budget for his personal financial gain. While preparing to leave his position in the Florida House of Representatives, he accepted a \$69,000 per year, part-time, unadvertised professor position with Florida International University (FIU). When he was hired, FIU had a \$32 million budget deficit and had cut 23 degree programs and 200 jobs. During his tenure in the House, Mr. Rubio helped steer at least \$29 million to the university, leading FIU's president at the time to say that Mr. Rubio was "worth every penny".

Similarly, Mr. Rubio was hired as a consultant for Jackson Memorial Hospital after he earmarked \$20 million for the facility. Jackson Memorial paid Mr. Rubio's firm \$8,000 per month. The same firm, which also employed Mr. Rubio's former aide, the wife of fellow Florida House Rep. Esteban Bovo, scored a \$102,000 contract with Miami Children's Hospital. At the time of the contract, Rep. Bovo was the Miami Children's Hospital in-house lobbyist.

Furthermore, Mr. Rubio seems to have misused two political committees for personal gain. Mr. Rubio's committee likely violated state law by failing to disclose \$34,000 worth of expenses in 2003 and 2004 including a \$7,000 payment to Mr. Rubio. While other Floridian candidates tend to itemize travel expenses, Mr. Rubio billed more than \$51,000 in unidentified travel expenses to his committee. The same committee paid \$5,700 to his wife, who is listed as its treasurer. Another Rubio political committee listed \$14,000 in payments to family members, at least one of whom had a non-existent address.

Mr. Rubio has been criticized for giving preferential treatment to the Dosal Tobacco Company. Dosal had been a significant donor to Mr. Rubio's campaigns and was a prominent player in Mr. Rubio's Cuban-American constituency. Due to loopholes in Florida tobacco regulations resulting from a 1997 settlement reached by the state with big tobacco companies, Dosal had been able to avoid a significant per pack surcharge levied on most other tobacco companies. Since at least 2004, the Florida House debated closing the loopholes, but in 2007 and 2008, when Mr. Rubio was the very powerful Speaker of the House, no loophole fix bill was even introduced.

Moreover, Mr. Rubio secretly inserted language into the so called "proviso language," passed along with the state budget, to increase the chances that Max Alvarez, a close friend and a political contributor to Mr. Rubio, would win a contract with the Florida Department of Transportation. Mr. Alvarez, who considers Mr. Rubio "like a son," owns a small fuel business, which would not have been allowed to compete for a Florida Turnpike contract under the original language of the budget. Mr. Alvarez approached Mr. Rubio to insert the favorable language allowing his business to bid on the contract. Governor Charlie Crist eventually vetoed the bill underlying the proviso language.

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James Traficant

Running for U.S. House, Ohio

James Traficant is an independent candidate running for Congress in Ohio. Although he announced his intention to run in early May, it wasn't until August 30, 2010, that Mr. Traficant was able to secure sufficient signatures to be included on the ballot. Mr. Traficant served in the US House of Representatives from 1985 to 2002.

Rep. Traficant, only the second member of the House of Representatives to be expelled from Congress since the Civil War because of unethical behavior, was convicted in 2002 on 10 corruption charges.

The Department of Justice conducted a long-running probe of corruption in eastern Ohio, which resulted in nearly 70 convictions, including that of Rep. Traficant. He was found guilty of ordering his staff to do personal chores for him, forcing staff to kick back a portion of their pay-checks to him, and accepting cash bribes and favors from individuals hoping to win official favors from him. Rep. Traficant claims his conviction was politically motivated. He was released from prison in September 2009, after serving seven years. Since his release, Rep. Traficant has been working as a radio talk show host in Ohio.

Rep. Traficant says that while he expects it will be difficult to raise money; he's motivated to win by revenge, and wants to get even with the "suckers" who put him in prison. He will challenge his former aide, Democrat Tim Ryan, who defeated Mr. Traficant when he ran for reelection from prison in 2002.

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Allen West

Running for U.S. House, Florida

Lieutenant Colonel Allen West is a candidate in the Republican primary for Florida's 22nd congressional district. Col. West previously served as a battalion commander in the Army's Fourth Infantry Division in Iraq.

Col. West was stripped of his command and forced to resign for assaulting an Iraqi citizen during a harsh interrogation. In response to an intelligence report alleging a threat against Col.

West and the men who traveled with him, he ordered the apprehension of Iraqi policeman Yehiya Kadoori Hamoodi. Although it was not Col. West's job to conduct interrogations, he nevertheless interrogated Mr. Hamoodi.

Col. West allowed his soldiers to beat Mr. Hamoodi on the head and body. After the beatings, Col. West threatened to kill Mr. Hamoodi and shoved his head into a sand-filled barrel into which he fired at least one gunshot. Col. West later admitted that he couldn't remember how many shots had actually been fired. After the gun was fired, Mr. Hamoodi "admitted there would be attacks" and gave names of alleged conspirators but subsequent investigations found no evidence of a plot to kill Col. West.

At a military tribunal on the incident, Col. West admitted he was not sure any corroboration of a plot was ever found and he may have been wrong about Mr. Hamoodi. Although the tribunal found Col. West guilty of three counts of aggravated assault and thought that his actions merited a court martial, his admission of guilt and his long record in the Army allowed him to return home to retire with a mere \$5,000 fine.

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From: [REDACTED]

To: [REDACTED]

Cc:

Date: Wednesday, September 22, 2010 07:06 pm

Subject: Fwd: The Case Against Christine O'Donnell

Begin forwarded message:

From: Citizens for Responsibility and Ethics in Washington <info@citizensforethics.org>
Date: September 21, 2010 10:56:43 AM MDT
To: oxford92748@mindspring.com
Subject: The Case Against Christine O'Donnell
Reply-To: info@citizensforethics.org

CREW | citizens for responsibility
and ethics in washington

Dear Supporter,

We have received an overwhelming response to our call for a criminal investigation into Delaware Senate candidate Christine O'Donnell, and I wanted to take a moment to thank you all for your support.

After extensive research and lengthy discussions with David Keegan, who served as a senior financial advisor to the O'Donnell campaign, we learned Ms. O'Donnell had stolen tens of thousands of dollars from her campaign. I felt we had a civic duty to bring these matters to the attention of the authorities as soon as possible. The complaints CREW filed against Ms. O'Donnell with the United States Attorney and the Federal Election Commission have nothing to do with her politics and everything to do with the fact that she is a crook.

In short, there are only two differences between Ms. O'Donnell and the grocery store clerk who helps herself to an extra \$20 bill from the cash register just before closing. First, Ms. O'Donnell stole on a much larger scale, and second, she hasn't had a job

in years.

CREW has always been an equal opportunity antagonist when it comes to highlighting corrupt politicians. The last thing the country needs is for one of today's Crooked Candidates to grow up and become one of tomorrow's Most Corrupt Members of Congress.

Looking for ways to help CREW build a better Washington?

- <!--[if !supportLists]-->We ask that you **sign our petition** asking U.S. Attorney for Delaware David C. Weiss to investigate Ms. O'Donnell's campaign spending;
- <!--[if !supportLists]--><!--[endif]-->Keep telling your friends about the work we're doing here at CREW;
- <!--[if !supportLists]-->And, if possible, please donate so that we continue the work of building a better Washington.

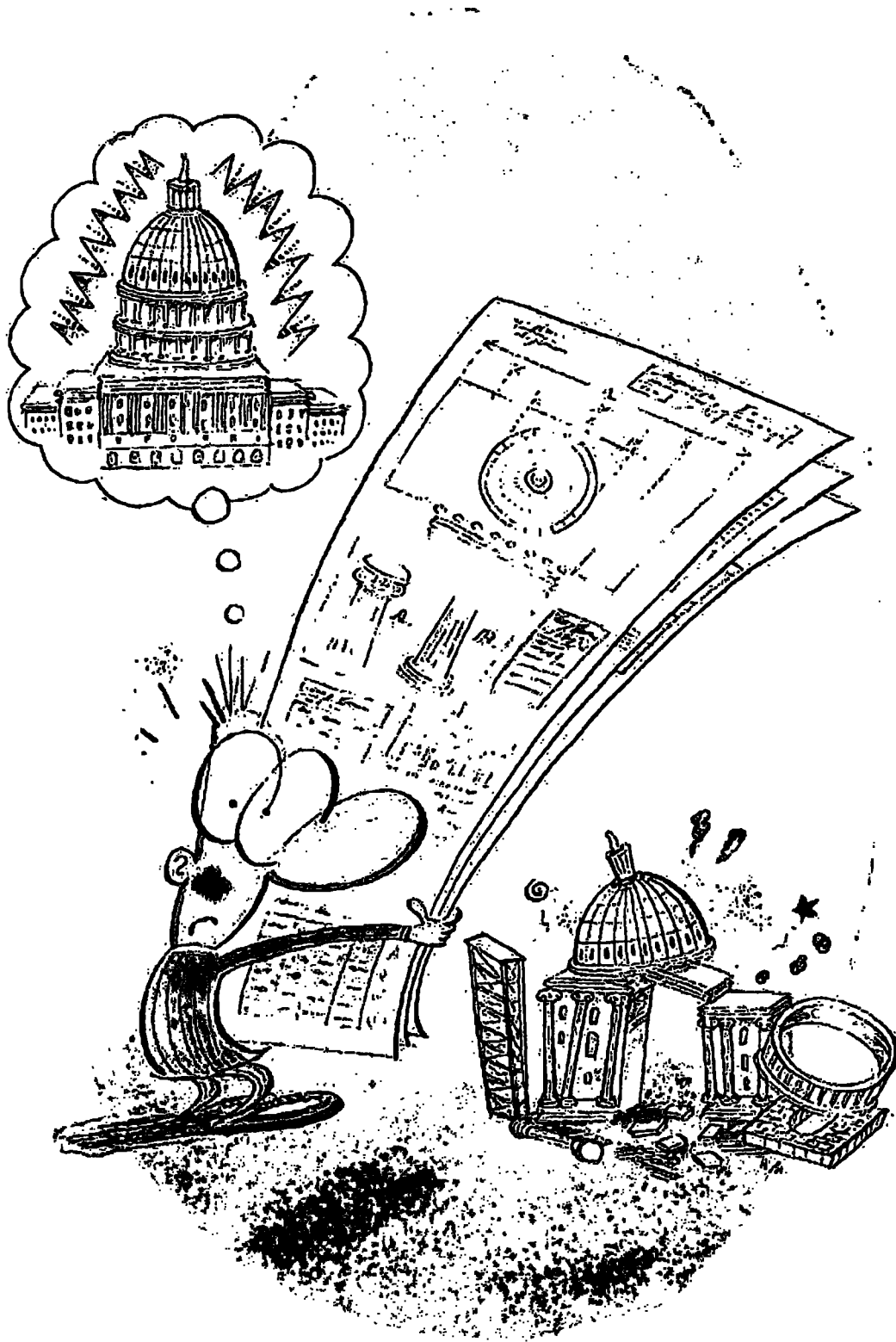
Thank you once again,



Melanie Sloan,
Executive Director
CREW



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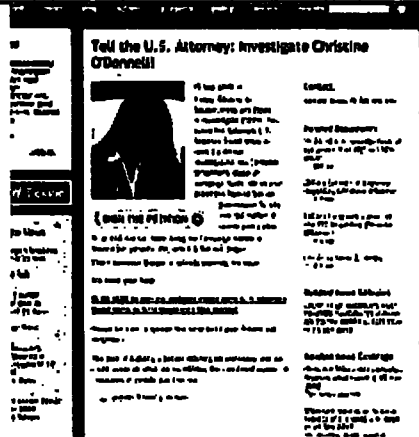
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BUILDING A BETTER WASHINGTON



STRENGTH IN NUMBERS

Using the latest in online technology, thousands of people came to CREW's website to sign a petition calling for Ms. O'Donnell to be prosecuted.



Lying and Stealing CREW breaks story on O'Donnell's illegal use of campaign funds

The political world was shocked when Christine O'Donnell beat well-respected Rep. Mike Castle in the Delaware Republican primary to become a nominee for the Senate. Shortly thereafter, CREW revealed Ms. O'Donnell had been illegally using campaign funds to finance her personal life.

CREW located former O'Donnell campaign staff member David Keegan, who explained that Ms. O'Donnell had used campaign funds to pay her rent and other expenses. Consequently, CREW filed complaints with both the Delaware U.S. Attorney's Office and the Federal Election Commission, alleging Ms. O'Donnell had stolen her campaign funds and lied on financial disclosure reports.

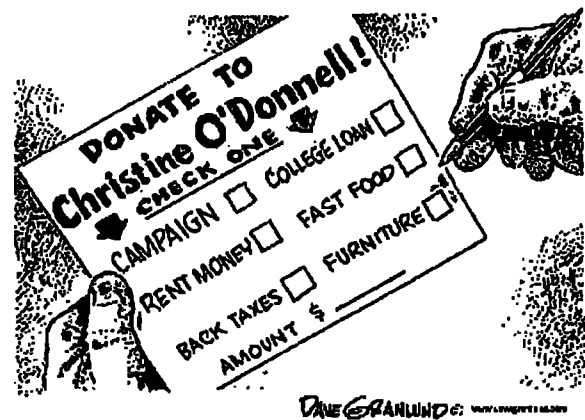
CREW's Melanie Sloan appeared extensively on national television and radio, and wrote an Op-Ed in the *Wilmington News Journal* about the case. Additionally, more than 3,000 people signed CREW's petition to U.S. Attorney David Weiss, calling for a criminal investigation into Ms. O'Donnell's financial activities.

Fix the FEC CREW took to the *Huffington Post* to demand changes at the FEC. In his first two years in office, President Obama nominated only one person to the commission, and he withdrew from consideration, unable to win Senate confirmation. As a result of the inaction, three commissioners with expired terms continue to serve, one of whom, Don McGahn, is Tom DeLay's former campaign finance lawyer.

Tax Status Abuse CREW called for the Internal Revenue Service to investigate the "Pray in Jesus Name Project," which was distributing so-called voter guides to churches across the country and encouraging clergy to politick from the pulpit, in violation of tax law. The guide classified candidates as "anti-Jesus" or "faith friendly." Paradoxically both Sen. John Ensign (R-NV) and Sen. David Vitter (R-LA) were classified as the latter.

Demanding Oversight Almost \$4 billion was spent on political ads this campaign, much of it by shadowy nonprofit groups that don't disclose their donors. Sen. Max Baucus (D-MT) called on the IRS to investigate, but CREW reminded Sen. Baucus that he didn't have to defer: As chairman of the Senate Finance Committee, he has the authority to investigate these groups himself.

Shady Campaign Finances CREW filed a complaint with the FEC alleging four candidates in the South Carolina Democratic primary—Senate nomination winner Alvin Greene, as well as Gregory Brown, Ben Frasier, and Brian Doyle, plus their campaign committees—violated campaign finance laws by failing to file disclosure reports prior to the election. All candidates, even inexperienced ones, have to follow the same rules.



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Salaries for Top Watchdogs Exceed \$100K

By Matthew Murray
Roll Call Staff
Dec. 6, 2010, Midnight

Melanie Sloan, executive director of Citizens for Responsibility and Ethics in Washington, recently announced that she was leaving the watchdog group to practice law with former Clinton White House counsel Lanny Davis.

Her move may not be entirely for financial reasons, since she makes a handsome salary among her nonprofit peers. But in private practice, she could easily quadruple her earnings.



File Photo

Democracy 21 President Fred Worthelmer receives one of the more modest salaries among executives of watchdog groups.

According to CREW's most recent IRS filing, Sloan is paid more than \$230,000 a year to run the group, which describes itself as an "organization dedicated to promoting ethics and accountability in government and public life by targeting government officials — regardless of party affiliation — who sacrifice the common good to special interests," according to the group's website.

In an e-mail Friday, Sloan wrote that her salary is set by the organization's board, which "bases it on CREW's effectiveness." The group's board in recent weeks undoubtedly had reasons to be delighted with Sloan, who has been a persistent antagonist of former Ways and Means Chairman Charlie Rangel (D-N.Y.) and ex-House Majority Leader Tom DeLay (R-Texas).

On Thursday, the House voted 333-79 to censure the Empire State Democrat, the first time in more than 25 years the chamber has done so. And a Texas jury on Nov. 24 convicted DeLay of money laundering and other infractions, crimes that could put him in prison for 20 years.

A review of the recent tax filings for other organizations shows that Sloan is paid considerably more than her peers at similar Washington, D.C.-based watchdogs such as the Campaign Legal Center, the Center for Responsive Politics, Democracy 21 and Public Citizen.

The next highest-paid executive, Campaign Legal Center Executive Director J. Gerald Hebert, makes \$185,000, or about 20 percent less than Sloan.

Sloan started CREW after leaving the Justice Department in 2003. According to her official biography, she's also worked in private legal practice and is a graduate of the University of Chicago law school. She is a former assistant U.S. attorney in the District of Columbia and ex-staffer to House Judiciary Chairman John Conyers (Mich.), Senate Rules and Administration

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Chairman Charles Schumer (N.Y.) and Vice President Joseph Biden during Biden's Senate days.

"I'm sure they're considering her career as a prosecutor and what she could make in the private realm," a source from the downtown nonprofit community said.

Sloan took issue with any suggestion that her salary may be inflated. In an e-mail, she wrote that Trevor Potter, a Republican election lawyer and Campaign Legal Center president, actually makes more because he's paid \$120,000 to work 15 hours a week, according to IRS tax forms.

"Based on that ratio, it seems he is paid more than I am," Sloan wrote.

Using Sloan's argument, Potter would make about \$320,000 per year for an equivalent 40-hour work week.

In an e-mail, Potter declined to comment.

The head of Public Citizen, an elder statesman among watchdog groups, is also paid considerably less than Sloan. In 2009, Robert Weissman took over from longtime Public Citizen head Joan Claybrook and, although his tenure is too short to appear in tax forms, an organization spokesman disclosed Friday that he is paid \$157,000 a year.

"It's the low end of the range of comparably sized organizations," the spokesman said.

IRS tax forms also show that Fred Wertheimer, president of Democracy 21, is paid less than Sloan. According to his official biography, the former Common Cause president has decades of experience and is a graduate of the University of Michigan and Harvard Law School.

Wertheimer makes \$113,300 annually, less than half of Sloan's overall pay, tax forms reveal.

Wertheimer declined to comment.

An executive recruiter interviewed for this article said it's not uncommon for salaries to vary so dramatically within even such a narrowly focused industry. For many top jobs, the source said, "the No. 1 factor ... is what you're making now."

"Believe or not, employers take into account what you're making now in figuring out your salary, so most of the time they see what you're being paid now and can certainly pay in and around that," the source said.

Executive compensation at nonprofit groups also may also hinge on who pays the organization's bill, the source said.

"You have to look at A) who funds it, and B) who are they really?" the recruiter said. "What are they doing and who backs them?"

That information is not typically made public on tax forms.

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